

**LAND USE AMENDMENT  
VARSITY (WARD 1)  
37 STREET NW AND 40 AVENUE NW  
BYLAW 301D2016**

**MAP 36W**

**EXECUTIVE SUMMARY**

This application is for a land use redesignation from Residential - Contextual One Dwelling (R-C1) District to Residential - Contextual One Dwelling (R-C1s) District for the property at 3731 - 37 Street NW, for a secondary suite. This is not an existing suite and there no complaints on file.

**PREVIOUS COUNCIL DIRECTION**

On 2013 September 16, Council directed Administration to remove fees associated with land use amendment and development permit applications for secondary suites to encourage the development of legal and safe secondary suites throughout the city.

**ADMINISTRATION RECOMMENDATION(S)**

2016 October 06

That Calgary Planning Commission recommends **APPROVAL** of the proposed Land Use Amendment.

**RECOMMENDATION(S) OF THE CALGARY PLANNING COMMISSION**

That Council hold a Public Hearing on Bylaw 301D2016; and

1. **ADOPT** the proposed redesignation of 0.08 hectares  $\pm$  (0.19 acres  $\pm$ ) located at 3731 – 37 Street NW (Plan 5886JK, Block 50, Lot 1) from Residential – Contextual One Dwelling (R-C1) District **to** Residential – Contextual One Dwelling (R-C1s) District, in accordance with Administration's recommendation; and
2. Give three readings to the proposed Bylaw 301D2016.

**REASON(S) FOR RECOMMENDATION:**

The proposed R-C1s district which allows for two forms of secondary suite uses (secondary suite or backyard suite) is compatible with the established character of the community. In addition, the proposal conforms to the relevant policies of the Municipal Development Plan and allows for a development that has the ability to meet the intent of Land Use Bylaw 1P2007. The site is located on a collector, is in proximity of transit (including primary transit), bike lane, open space and the university research park. The site can accommodate the required additional parking stall on site.

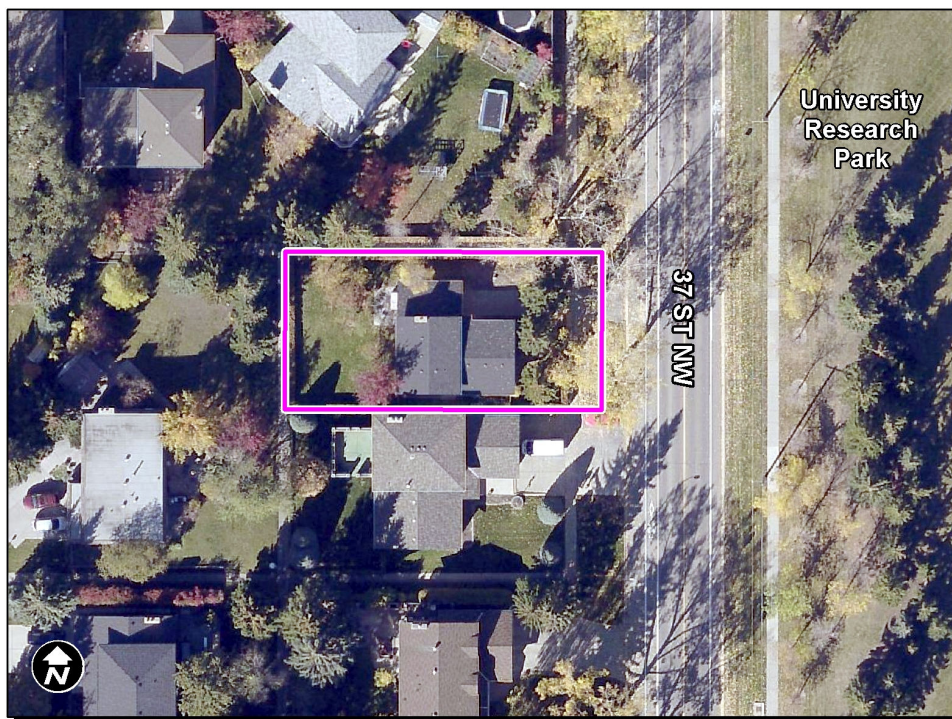
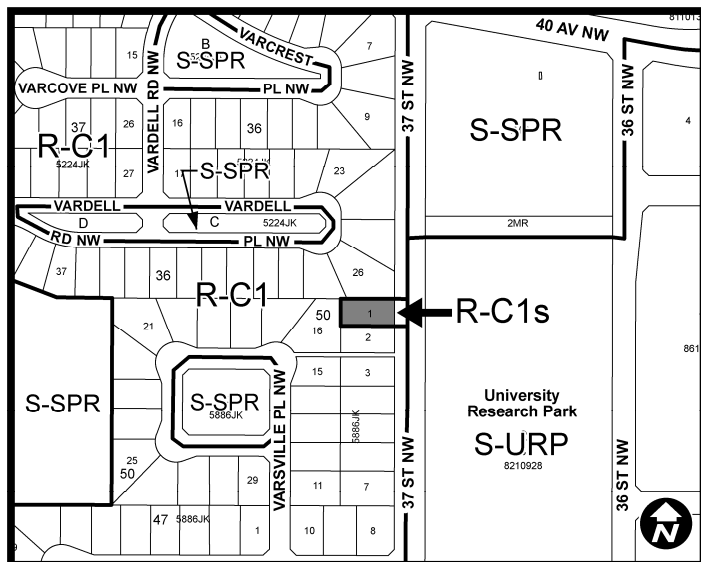
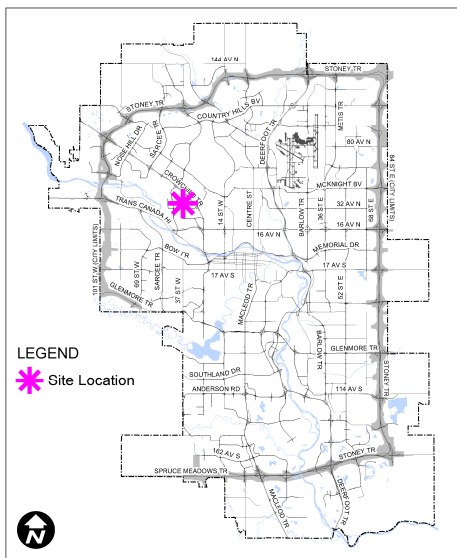
**ATTACHMENT**

1. Proposed Bylaw 301D2016

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LOCATION MAPS



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**ADMINISTRATIONS RECOMMENDATION TO CALGARY PLANNING COMMISSION**

Recommend that Council **ADOPT**, by bylaw, the proposed redesignation of 0.08 hectares  $\pm$  (0.19 acres  $\pm$ ) located at 3731 – 37 Street NW (Plan 5886JK, Block 50, Lot 1) from Residential – Contextual One Dwelling (R-C1) District **to** Residential – Contextual One Dwelling (R-C1s) District.

**Moved by: J. Gondek**

**Carried: 5 – 1**

Opposed: M. Foht

Comments from Ms. Gondek:

- When six out of ten applications for secondary suites indicate that they are intended for family members – either elders or adult children – we must understand that these living spaces are not solely rental units.
- It is not acceptable or rational position that secondary suites should be prohibited because renters are undesirable and unsafe. Why do they not “fit” the social structure of a community? Why do they not “fit” the character of an estate community?

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**Applicant:**

Sonya Sharp

**Landowner:**

Michael A Sharp  
Sonya Sharp

**PLANNING EVALUATION**

**SITE CONTEXT**

Located at the edge of low density residential R-C1 in the community of Varsity, the site is approximately 20 metres wide by 40 metres deep. The site is developed with a single detached dwelling with an attached garage accessed off the front driveway. Single detached dwellings exist to the north, south and west of the site. To the east is the university research park.

<b>Varsity</b>	
Peak Population Year	1981
Peak Population	13,645
2016 Current Population	12,612
Difference in Population (Number)	-1,033
Difference in Population (Percent)	-8%

**LAND USE DISTRICTS**

The proposed R-C1s district has the ability to accommodate secondary suites on sites that contain a single detached dwelling. The R-C1s district allows for one additional permitted use (secondary suite) or one additional discretionary use (backyard suite).

The subject site exceeds the minimum R-C1s site width requirements (12 metres). Approval of this land use application does not constitute approval of a specific secondary suite type, but rather allows for an additional dwelling unit (in the form of a secondary suite) to be considered via the permit process.

**LEGISLATION & POLICY**

Municipal Development Plan (MDP) (Statutory/Approved by Council - 2009)

The site is located within a *Residential, Developed – Established Area* as identified on Map 1: Urban Structure of the Municipal Development Plan (MDP). Although the MDP does not make specific reference to this site, the proposal is in keeping with a number of MDP policy areas including: *Neighbourhood Infill & Redevelopment* and *Housing Diversity & Choice* policies.

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South Saskatchewan Regional Plan (SSRP)

The recommendation by Administration in this report has considered and is aligned with the policy direction of the South Saskatchewan Regional Plan (SSRP).

**TRANSPORTATION NETWORKS**

The subject site has front drive access, is adjacent a bike lane and is within 120 metres of transit.

**UTILITIES & SERVICING**

Water, sanitary and sewer services are available and can accommodate the potential addition of a secondary suite without the need for off-site improvements at this time.

**ENVIRONMENTAL ISSUES**

An Environmental Site Assessment was not required.

**GROWTH MANAGEMENT**

This land use proposal does not require additional capital infrastructure investment and therefore, no growth management concerns have been identified at this time. In addition, the proposal is in alignment with the MDP references associated with growth management matters.

**PUBLIC ENGAGEMENT**

**Community Association Comments**

Community Association asked for clarification on process. They were uncertain if the land use could be granted before the intended development was built.

**Citizen Comments**

Two letters were received from neighbours concerned with the following:

- Parking;
- inconsistent higher density land use proposed; and
- proximity to tot lot.

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The applicant has also met with adjacent neighbours and has received support from three neighbours immediately north and south of the site. One other neighbour approached is neutral to the proposed amendment.

**Public Meetings**

No meetings were held by the Applicant or Administration.

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**APPENDIX I**

**APPLICANT'S SUBMISSION**

We are making this application for a legal in-law suite on our property. Our eventual goal is to redevelop our current property/home. We would construct a new home with a full in-law suite above the garage.

We are submitting this application to create a long-term solution to help my parents. My parents are currently 70 & 78 years of age and they have reached a point in life where we feel they should no longer have to work, but unfortunately they are still working due to financial requirements. The high cost of other living solutions would be too big of a financial burden on them. We would like to help them by creating a space on our property where they could live rent-free. We would like to stress that we do not intend to ever rent this space to anyone ever. It is our intention to only use the space for our family. We would just like to create a full in-law suite so my parents are able to enjoy their own independent living space without any financial stress at this point in their lives.

Thank you,

Sonya & Michael Sharp